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10/027,390	12/21/2001	Yue-Hong Chou	GEO1.PAU.01	1722

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EXAMINER

NGUYEN, THU V

ART UNIT

PAPER NUMBER

3661

DATE MAILED: 09/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SW

# Office Action Summary

Applicati n No.

10/027,390

Applicant(s)

CHOU, YUE-HONG

Examin r

Thu Nguyen

Art Unit

3661

-- The MAILING DATE of this communication appears on the cover sheet with the c rrespondenc address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-63 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Pri rity under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: \_\_\_\_\_

Art Unit: 3661

## **DETAILED ACTION**

### ***Specification***

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

2. The disclosure is objected to because of the following informalities:

The status (patent Number) of the parent application 09/641,302 in page 1, line 11 should be provided.

### ***Duplicated claims***

3. Applicant is advised that should claims 4-5 be found allowable, claims 51-52 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

### ***Claim Objections***

4. Claim 17 is objected to because of the following informalities:

In claim 17, line 3, the claimed "coupled the " should be corrected to "coupled to the"

Art Unit: 3661

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 10-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. In claim 10, line 1, the claimed “claim 9 is clear” is ambiguous. It is not clear what should be cleared.

b. Claim 11 is similarly rejected as explained in claim 10 above.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-3, 6-12, 17-20, 23-30, 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe (US 2003/0067542).

As per claim 1, 12, Monroe discloses an apparatus for communication network in which each object includes: a location circuit (para [0109], [0115]); a means for receiving location

Art Unit: 3661

information, activating responsive function, storing events, and automatically activates selected functions controlling the first object in response to the location of the second object (para [0086]-0088]; [0091]; [0095]; [0115]); a communication circuit (para [0109]). Monroe does not explicitly teach using a processor as a means for receiving, communicating and activating responsive function. However, Monroe teaches that the first object is capable of performing the claimed function (para [0086]-0088]; [0091]; [0095]; [0115]). Further, implementing a controller for controlling data processing, data analysis and data transmission would have been well known. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a well known controller for performing the analyzing position data, storing the data, and communicating data since selecting a known processor that is known to be able to perform the function of Monroe requires only routine skill in the art.

As per claim 2-3, including a satellite and GPS receiver, communicating from a mobile device to a terrestrial location detection network would have been well known.

As per claim 6-11, Monroe teaches storing the location, time, of an object for an event (para [0084]). Further, storing speed, direction of an object, messages send or receive, erasing a message from a memory according to a predetermined criteria or periodically would have been known. Further, choosing information that is of interest to an operator to store, and choosing to

Art Unit: 3661

reserve or delete a message from memory as prefer to a designer requires only routine skill in the art.

As per claim 17, implementing a plurality of input/output ports to interface with a plurality of systems would have been known.

As per claim 18-20, 23-29, 35, refer to claim 1-3, 6-11, 17 above.

As per claim 30, including stationary object in considering collision would have been known.

9. Claims 4-5, 21-22, 36-37, 42-43, 51-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe (US 2003/0067542) in view of Pratt (US 6,285,315).

As per claim 4, 21, 36, 42, 51, Pratt teaches a location circuit capable of communicating with a satellite and a terrestrial location detection network in combination (col.5, lines 51-55, lines 63-67; col.6, lines 1-6). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a means for communicating with the combination of a satellite and a terrestrial location detection network of Pratt to the system of Monroe in order to enhance accuracy in determining the location of the mobile object.

Art Unit: 3661

As per claim 5, 22, 37, 43, 52, Pratt teaches the capability of determining the location of the mobile device using either the data from the GPS receiver or the terrestrial data (col.6, lines 16-48) depending on the accuracy required. Further, determining location of a mobile object using terrestrial data only would have been known. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to use using the terrestrial data when the data from the GPS receiver is not available, since using a known alternative method (using terrestrial data) for determining the location of a mobile device when the GPS signal is not available requires only routine skill in the art.

10. Claims 13, 31, 38, 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe (US 2003/0067542) in view of Pratt (US 6,285,315) and further in view of Rowson et al (US 6,067,484).

As per claim 13, 31, 38, 44, Rowson teaches selecting a best signal from a plurality of input sources (col.6, lines 19-40), further, including modems for wireless communication between devices would have been well known. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to select the data from input sources of Pratt in order to ensure using appropriate signal for determining position of the mobile device of Monroe.

Art Unit: 3661

11. Claims 14-16, 32-34, 48-50, 54-57, 61-63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe (US 2003/0067542) in view of Burns et al (US 5,129,605).

As per claim 14-16, 32-34, Burns teaches using the location data from the dead reckoning when the GPS fail to provide valid location fix (col.5, lines 14-17, lines 49-64; col.6, lines 9-20). Further using three dimensional gyro in the dead reckoning system would have been known.

As per claim 48, 57, refer to claim 1 above. Further, Burns teaches using a dead reckoning system for detecting location information of the object in real time. Further, using the dead reckoning system for detecting the location of the object without depending on the extend of the GPS coverage would have been well known. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to the dead reckoning system of Burns to the system of Monroe in order to detect the position of the mobile object when GPS is not accessible.

As per claim 49-50, 54-56, 61-63, refer to claim 2-3, 14-16 above.

12. Claims 39-41, 45-47, 58-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe (US 2003/0067542) in view of Pratt (US 6,285,315) and Burns et al (US 5,129,605).

As per claim 39-41, 45-47, 58-59, refer to claim 14-16, 4-5, above.



Art Unit: 3661

13. Claims 53, 60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe (US 2003/0067542) in view of Burns et al (US 5,129,605) and Rowson (US 6,067,484).

As per claim 53, 60 refer to claim 13 above.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 305-7687, (for formal communications intended for entry)

**Or:**

(703) 305-7687 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park V, 2451 Crystal Drive, Arlington, VA., Seventh Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Nguyen whose telephone number is (703) 306-9130. The examiner can normally be reached on Monday-Thursday from 8:00 am to 6:00 pm ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski, can be reached on (703) 308-3873. The fax phone number for this Group is (703)305-7687 .

Art Unit: 3661

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)308-1111.

A handwritten signature in black ink, appearing to read "Thu Nguyen", with a horizontal line underneath the name.

Thu Nguyen

September 4, 2003